

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Attorney Docket No.: 40923-0063 US2
(Previously: 018733/0987)

In re patent application of:
Gary L. Griffiths et al.

Confirmation No.: 5842

Serial No.: 09/597,580

Art Unit: 1616

Filed: June 20, 2000

Examiner: Dameron Levest Jones

For: **TARGETED COMBINATION IMMUNOTHERAPY OF CANCER AND
INFECTIOUS DISEASES**

TERMINAL DISCLAIMER UNDER 37 CFR §1.321

Commissioner of Patents
Washington, D.C. 20231

08/13/2004 HGUTEMA1 00000028 081641 09597580
02 FC:2814 55.00 DA

Sir:

Your Petitioner, **IMMUNOMEDICS, INC., 300 American Road, Morris Plains, New Jersey, USA**, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. **09/597,580** filed **June 20, 2000**, by virtue of an Assignment document filed and recorded on **November 16, 2000**, on Reel **011315**, Frame **0603** in the United States Patent and Trademark Office, a copy of which is attached hereto as **APPENDIX A**. Further, your Petitioner represents that it is the owner of the following: (1) U.S. Patent No. **5,736,119**, which issued on U.S. Patent Application Serial No. **08/409,960**, filed **March 23, 1995**, which is a continuation of U.S. Patent Application Serial No. **08/062,662**, filed **May 17, 1993**, by virtue of an Assignment document filed and recorded on **June 30, 1993**, on Reel **6596**, Frame **0800** in the United States Patent and Trademark Office; (2) U.S. Patent No. **5,846,741**, which issued on U.S. Patent Application Serial No. **08/687,626**, filed **July 26, 1996**, which is a continuation-in-part of U.S. Application Ser. No. **08/486,166**, filed **June 7, 1995**, which is a continuation-in-part of U.S. Application Ser. No. **08/456,393**, filed **June 1, 1995** (now U.S. Pat. No. **5,698,405**), which is a divisional of U.S. Application Ser. No. **07/933,982**, filed **August 21, 1992** (now U.S. Pat. No. **5,525,338**), by virtue of an Assignment document filed and recorded on **October 16, 1996**, on Reel **8192**, Frame **0540** in the United States Patent and Trademark Office;

(3) U.S. Patent No. **5,482,698**, which issued on U.S. Patent Application Serial No. **08/051,144**, filed **April 22, 1993**, by virtue of an Assignment document filed and recorded on **June 30, 1993**, on Reel **006604**, Frame **0161** in the United States Patent and Trademark Office.

Your Petitioner, **IMMUNOMEDICS, INC.**, hereby disclaims the terminal part of the term of any patent granted on the above-identified application which would extend beyond the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698**, and hereby agrees that any patent so granted on U.S. Serial No. **09/597,580** shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698**, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above-identified application, prior to the full statutory term of U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698** as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698** expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §154, prior to the full statutory term of U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698** as defined in 35 U.S.C. §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Serial No. **09/597,580** that would extend beyond the present termination of U.S. Patent Nos. **5,736,119, 5,846,741, and 5,482,698**, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Serial No. **09/597,580** to the extent provided by law.

The undersigned, being the Attorney of Record for the captioned application and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the documents attached as **APPENDIX A**, and to the best of his knowledge and belief, legal title to U.S. Serial Application Nos. **09/597,580** and **10/361,026**, as well as U.S. Patent Nos. **5,736,119**, **5,846,741**, and **5,482,698** rests with Petitioner, **IMMUNOMEDICS, INC.**

The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date: August 12, 2004

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18703/987
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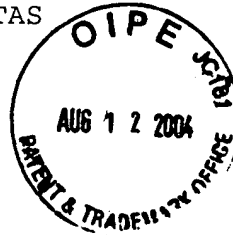


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FEBRUARY 15, 2001

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PTAS



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/16/2000

REEL/FRAME: 011315/0603
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GRIFFITHS, GARY L.

DOC DATE: 09/19/2000

ASSIGNOR:
HANSEN, HANS

DOC DATE: 07/26/2000

ASSIGNOR:
GOLDENBERG, DAVID M.

DOC DATE: 09/19/2000

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SERIAL NUMBER: 09597580
PATENT NUMBER:

FILING DATE: 06/20/2000
ISSUE DATE:

APPENDIX A

011315/0603 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

12-12-2000

Atty. Dkt. No. 018733/0987

FORM PTO-1595 (modified)

(Rev 6-93)

REC



HEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

101549445

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Gary L. Griffiths (9/19/00)
 Hans Hansen (7/26/00)
 David M. Goldenberg (9/19/00)

2. Name and address of receiving party(ies):

Immunomedics, Inc.
 300 American Road
 Morris Plains, New Jersey 07950

Additional conveying party(ies) attached? NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

Same as above

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/597,580

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Bernhard D. Saxe
 FOLEY & LARDNER
 Washington Harbour
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5109

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Bernhard D. Saxe

November 16, 2000

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5

12/11/2000.MTHAI1 00000332 09597580

01 FC:581

40.00 DP

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

*name and
address of
assignee*

**IMMUNOMEDICS, INC.
300 American Road
Morris Plains, New Jersey 07950**

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

*title of
invention*

**TARGETED COMINGATION IMMUNOTHERAPY OF CANCER AND INFECTIOUS
DISEASES**

as set forth in this United States Patent Application

check one

☐ executed concurrently herewith

☐ executed on _____

☒ Serial No. 09/597,580 Filed June 20, 2000

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

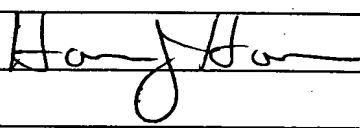

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

002.351746U

ASSIGNMENT

Attorney Docket No. 018733/0987

Each of the undersigned hereby authorizes the firm of **FOLEY & LARDNER** to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Gary L. GRIFFITHS	Signature:	Date:
Name: Hans J. HANSEN	Signature: 	Date: 7/26/00
Name: David M. GOLDENBERG	Signature: 	Date:
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

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